

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GONZALO BARBOSA SALGADO,

Petitioner,

No. 02:12-cv-01334-PK

v.

RICK COURSEY,

ORDER

Respondent.

HERNANDEZ, District Judge:

Magistrate Judge Papak issued a Findings & Recommendation (#36) on March 25, 2014, in which he recommends the Court deny the Petition for Writ of Habeas Corpus and certify that Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). Petitioner has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings &

Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

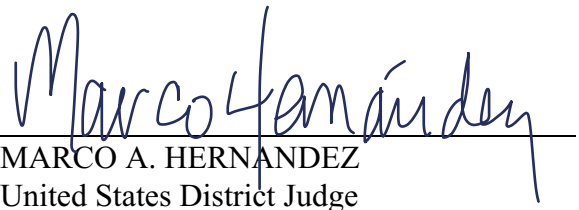
I have carefully considered Petitioner's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [36], with one exception: a Certificate of Appealability as further specified in the Judgment, is allowed. Accordingly, Petitioner's Petition for Writ of Habeas Corpus [3] is denied.

IT IS SO ORDERED.

DATED this 3 day of June, 2014.


MARCO A. HERNANDEZ
United States District Judge